

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

FELICIA BREWER,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-24-469-G
)	
CHSA GRACE TRAHAN et al.,)	
)	
Defendants.)	

ORDER

Plaintiff Felicia Brewer, a state prisoner appearing pro se, herein brings federal civil rights claims pursuant to 42 U.S.C. § 1983. In accordance with 28 U.S.C. § 636(b)(1), the matter was referred to Magistrate Judge Suzanne Mitchell for preliminary review.

Plaintiff filed a Complaint (Doc. No. 1) on May 8, 2024, alleging a violation of her rights under the Eighth Amendment. The remaining Defendants, CHSA Grace Trahan and RN Brecker, filed a motion to dismiss (Doc. No. 22), to which Plaintiff did not respond.

On February 27, 2025, Judge Mitchell issued a Report and Recommendation (Doc. No. 25) recommending that Defendants' motion be converted to one for summary judgment and be granted by the Court due to Plaintiff's failure to exhaust her administrative remedies prior to bringing suit. In the Report and Recommendation, Judge Mitchell advised the parties of their right to object to the Report and Recommendation by March 20, 2025. Judge Mitchell also advised that a failure to timely object would constitute a

waiver of the right to appellate review of the factual findings and legal conclusions contained in the Report and Recommendation.¹


As of this date, no party has filed any objection to the Report and Recommendation or sought leave for additional time to do so.

CONCLUSION

Accordingly, the court ADOPTS the Report and Recommendation (Doc. No. 25) in its entirety. The Motion (Doc. No. 22) filed by Defendants Trahan and Brecker, considered as a request for summary judgment, is GRANTED.

A separate judgment shall be entered.

IT IS SO ORDERED this 9th day of April, 2025.



CHARLES B. GOODWIN
United States District Judge

¹ The Report and Recommendation was mailed to Plaintiff at her address of record, and there is no indication on the docket that it was not received.